

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MARK S. SCOTT,

Defendant.

NO.: 17-cr-00630 (ER)

**DECLARATION OF  
DAVID M. GARVIN IN  
SUPPORT OF MOTION TO  
SUPPRESS**

**ECF CASE**

DAVID M. GARVIN, counsel for Mark S. Scott, declares as follows:


1. I am an attorney licensed to practice law in the State of Florida.
2. By Order of this Court on November 5, 2018, I was granted permission by Judge Ramos to appear pro hac vice in this matter and serve as counsel of record for the defendant Mark S. Scott.
3. I am submitting this declaration in support of defendant Mark S. Scott's Motion to Suppress dated May 14, 2019.
4. Attached hereto is the Affidavit in Support of Application for Search Warrant dated August 27, 2018 of Kurt Hafer, Special Agent in the Securities and Commodities Fraud Task Force at the United States Attorney's Office for the Southern District of New York, as **Exhibit A**.
5. Attached hereto as **Exhibit B** is The Search and Seizure Warrant issued on August 27, 2018 for The Premises Located at 600 Coral Way, Suite/Floor 12, Segovia Tower, Coral Gables, Florida 33134.

6. The Search and Seizure Warrant issued on September 25, 2018 for Safe Deposit Box Number 220 in the Yarmouth, MA branch of Cooperative Bank of Cape Cod located at 121 Main Street, Yarmouth Port, MA 02675 is attached hereto as **Exhibit C**.

7. Several additional warrants were issued and executed on essentially the same facts. Mr. Scott has standing to move to suppress the evidence seized from each location.

8. I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 14, 2019  
Miami, Florida

  
DAVID M. GARVIN

**CERTIFICATE OF SERVICE**

I hereby certify that on May 14, 2019, I electronically filed the instant Declaration with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the parties in this case:

Christopher Joseph DiMase, AUSA;  
Julieta Veronica Lozano, AUSA  
Nicholas Folly, AUSA  
James Nobles, Esq.

/s/ David M. Garvin  
David M. Garvin, Esq.  
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